

110TH CONGRESS
2D SESSION

H. R. 6553

To clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System lands subject to ski area permits.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2008

Mr. UDALL of Colorado introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System lands subject to ski area permits.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS AND PURPOSE.**

4 (a) FINDINGS.—The Congress finds the following:

5 (1) It is in the national interest to provide, and
6 encourage Americans to take advantage of, opportu-
7 nities during all four seasons to engage in outdoor

1 recreational activities that can contribute to their
2 health and well-being.

3 (2) Under current law, National Forest System
4 lands are managed in ways that not only encourage
5 understanding and appreciation of nature and the
6 importance of conserving natural resources, but also
7 provide year-round opportunities for natural re-
8 source-based outdoor developed recreation outside of
9 urban settings.

10 (3) Increasing the extent to which National
11 Forest System lands can provide opportunities for
12 outdoor recreational activities will make it possible
13 for more Americans to engage in such activities.

14 (4) National Forest System lands used for ski-
15 ing and other snow-sports can provide additional op-
16 portunities for seasonal and year-round recreational
17 activities.

18 (5) Authorizing increased use of some National
19 Forest System lands for such additional activities
20 and associated facilities can reduce the impact of
21 such activities and facilities on other National For-
22 est System lands.

23 (6) It is desirable to revise the National Forest
24 Ski Area Permit Act of 1986 to reflect that snow-
25 sports other than nordic and alpine skiing may occur

1 on National Forest System lands subject to ski area
2 permits and to clarify the authority of the Secretary
3 of Agriculture to permit appropriate additional sea-
4 sonal or year-round recreational activities and facili-
5 ties on such lands.

6 (b) PURPOSE.—The purpose of this Act is to amend
7 the National Forest Ski Area Permit Act of 1986 to re-
8 flect that snow-sports other than nordic and alpine skiing
9 may occur on National Forest System lands subject to ski
10 area permits and to clarify the authority of the Secretary
11 of Agriculture to permit appropriate additional seasonal
12 or year-round recreational uses of lands subject to ski area
13 permits under such Act.

14 **SEC. 2. AMENDMENTS TO NATIONAL FOREST SKI AREA**
15 **PERMIT ACT OF 1986.**

16 Section 3 of the National Forest Ski Area Permit Act
17 of 1986 (16 U.S.C. 497b) is amended as follows:

18 (1) In subsection (a), by striking “nordic and
19 alpine ski areas and facilities” and inserting “ski
20 areas and associated facilities”.

21 (2) In subsection (b), by striking “nordic and
22 alpine skiing operations and purposes” and inserting
23 “skiing and other snow-sports and such other sea-
24 sonal or year-round recreational activities associated

1 with mountain resorts as the Secretary may author-
2 ize pursuant to subsection (c)”.

3 (3) By redesignating subsections (c) and (d) as
4 subsections (d) and (e), respectively.

5 (4) By adding after subsection (b) the following
6 new subsection:

7 “(c) OTHER RECREATIONAL USES.—

8 “(1) The Secretary may authorize the holder of
9 a ski area permit issued pursuant to subsection (b)
10 to also provide on lands subject to such permit such
11 other seasonal or year-round outdoor and natural-re-
12 source based developed recreation activities and as-
13 sociated facilities, in addition to skiing and other
14 snow-sports, as the Secretary determines appro-
15 priate.

16 “(2) Activities and facilities authorized under
17 this subsection shall encourage outdoor recreation,
18 harmonize with the natural environment to the ex-
19 tent practicable, and be subject to such terms and
20 conditions as the Secretary determines appropriate.

21 “(3) No activity or facility shall be authorized
22 under this subsection if the Secretary determines
23 that its authorization would result in the primary
24 recreational purpose of lands subject to a ski area
25 permit not being skiing or other snow-sports.”.

1 (5) In subsection (d), as redesignated, by—

2 (A) striking “Within one year after the
3 date of enactment of this Act, the” and insert-
4 ing “The”; and

5 (B) striking “within 3 years of the date of
6 enactment of this Act”.

7 **SEC. 3. OTHER LAWS.**

8 Nothing in this Act shall be construed as affecting
9 any authority of the Secretary of Agriculture, including
10 authority with respect to recreational activities or facilities
11 on National Forest System lands, under any law other
12 than the National Forest Ski Area Permit Act of 1986.

○